

REMARKS

The office action of September 15, 2008, has been carefully considered.

It is noted that claims 1, 5, 6, 10 and 11 are objected to for containing various informalities.

Claims 1 and 7-10 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1, 5-8, 10 and 11 are rejected under 35 U.S.C. 103(a) over the patent to Funk in view of the patent to Guillot.

Claim 9 is rejected under 35 U.S.C. 103(a) over Funk in view of Guillot, and further in view of the patent to Mascucci.

In view of the Examiner's rejections of the claims, applicant has amended claims 1 and 5-11.

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Applicant has amended the claims to correct the informalities pointed out by the Examiner. Thus, it is respectfully submitted that the objection to claims 1, 5, 6, 10 and 11 as containing informalities is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1 and 7-10 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the methods disclosed in the references.

Turning now to the references and particularly to Funk et

al., it can be seen that this patent discloses a combination iron and iron oxide briquette.

The patent to Guillot et al. discloses a process for producing foaming slag above a stainless steel melted in an electric furnace.

The Examiner combined Guillot et al. and Funk et al. in determining that claims 1, 5-8, 10 and 11 would be unpatentable over such a combination. The combination does not teach introducing preforms having a density adjusted by pressure and a type and quantity of an added iron carrier so that the preforms are heavier than the slag but lighter than the metal melt, as in the presently claimed invention. Guillot et al. do teach that the briquettes have a certain density, however they do not teach adjusting the density as in the present invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1, 5-8, 10 and 11 under 35 U.S.C. 103(a) over a combination of the above-discussed references is

overcome and should be withdrawn.

The remaining reference has also been considered. Applicants submit that it adds nothing to the teachings of Funk et al. and Guilot et al. so as to suggest the presently claimed invention. In view of these considerations it is respectfully submitted that the rejection of claim 9 under 35 U.S.C. 103(a) is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



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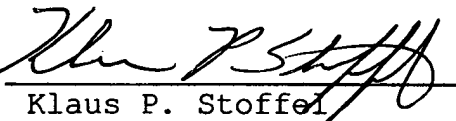
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on January 15, 2009.

By: 
Klaus P. Stoffel

Date: January 15, 2009